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PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

12/18/2003 EFLORES 00000041 061205 10736545

01 FC:1001		770.00	OP
02 FC:1201		430.00	OP
03 FC:1202		144.00	OP
04 FC:1203	10.00	280.00	DA

~~03/30/2004 BHABTEW 00000001 061205 10736545~~

~~01 FC:1201 86.00 DA~~

Adjustment date: 07/15/2004 EEKUBAY1
~~03/30/2004 BHABTEW 00000001 061205 10736545~~
01 FC:1201 86.00 CR

PTO-1556
(5/87)



STATUS
RECEIVED
2004 MAY 25 PM 4:26

Dep't Ref
#307

03500.017338

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
MASAHIRO KAWAGUCHI ET AL.)
Application No.: 10/736,545)
Filed: December 17, 2003)
For: DNA MICRO-ARRAY HAVING)
STANDARD PROBE AND KIT)
INCLUDING THE ARRAY)
Examiner: Not Yet Assigned
Group Art Unit: 1645
May 20, 2004

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicants request a refund of \$86.00 for independent claims in excess of three, which was erroneously charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On December 17, 2003, Applicants filed a Utility Patent Application Transmittal (see attached copy of the Transmittal and a postcard acknowledging receipt of the filing fee). At that time, Applicants paid for the basic filing fee with 28 claims (144.00) and 8 independent claims (5 in excess of 3 - \$420.00), the basic filing fee (\$770.00), and a multiple dependent claims fee (\$290.00), for a total filing fee of \$1,624.00.

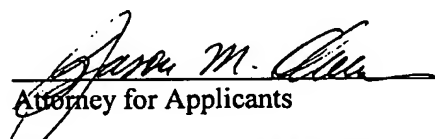
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The official filing receipt issued by the Patent Office indicates that there are nine (9) independent claims. Consequently, the Patent Office charged Deposit Account 06-1205 an \$86.00 fee for the ninth independent claims, as indicated in a Monthly Statement of Deposit Account, dated March 31, 2004, (copy attached). Since, in fact, there are only eight (8) independent claims in the subject application as originally filed (Claims 1, 2, 8, 11, 13, 14, 20, and 26), a refund of \$86.00 is due to Applicants.

Accordingly, Applicants hereby request a refund and authorize the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$86.00 to resolve this matter.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicants
Registration No. 48,512

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 428080v1



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Mail Stop Pat App.
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Date 12 / 17 / 03
Mo. Day Yr.

Atty. Docket 03520, 017338

Sir:

Kindly acknowledge receipt of the accompanying:

- ☒ Specifications, claims and abstract 61 pages, with Transmittal Form
☒ Patent Application Bibliographic Data Sheet 3 sheets
☒ Executed Oath or Declaration and Power of Attorney
☒ 4 Sheets of ✓ formal informal drawings 22390 U.S. PTO
☒ Check for \$ 1624⁰⁰ (filing fee) **10/736545**

- ☐ Request for Continued Examination and Check for \$
☒ Assignment, PTO-1595 and Check for \$ 40⁰⁰ 
☐ Transmittal Under 37 CFR 1.53(d) (CPA) **121703**

- ☐ Petition under 37 CFR 1.136 and check for \$
☒ Other (specify) IDS w/ 12 refs; Submission of CREF w/ disk - paper
by placing your receiving date stamp hereon and mailing or returning to deliverer.

This is a ☒ Continuation ☐ Divisional ☐ Continuation-In-Part 37 CFR 1.8 ☐
Atty. JMD Due Date 2 / 24 / 04 37 CFR 1.10 ☐
Mo. Day Yr. By Hand JMD

FD-350-A-00

STATUS AND EX-CT
BRANCH

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	03500.017338
First Named Inventor or Application Identifier	
MASAHIRO KAWAGUCHI ET AL.	
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

- | | |
|---|---|
| <p>1. <input type="checkbox"/> Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status.
See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification Total Pages <input type="text" value="61"/></p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) Total Sheets <input type="text" value="04"/></p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration Total Pages <input type="text" value="02"/></p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)</p> <p style="margin-left: 40px;">i. <input type="checkbox"/> DELETION OF INVENTOR(S)
Signed Statement attached deleting
inventor(s) named in the prior application, see
37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> | <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer
Program (Appendix)</p> <p>8. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> Computer Readable Form (CRF)</p> <p style="margin-left: 20px;">b. Specification Sequence Listing on:</p> <p style="margin-left: 40px;">i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</p> <p style="margin-left: 40px;">ii. <input checked="" type="checkbox"/> paper</p> <p style="margin-left: 20px;">c. <input checked="" type="checkbox"/> Statements verifying identity of above copies</p> |
|---|---|

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☒ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other: _____

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. PCT/JP03/07918
Prior application information: Examiner _____ Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 05514
(Insert Customer No. or Attach bar code label here) or ☐ Correspondence address below

NAME					
Address					
City		State		Zip Code	
Country		Telephone		Fax	

STATUS: **FILED**
BRANCH:

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	28-20 =	8	X \$ 18.00 =	\$ 144.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	8-3 =	5	X \$ 86.00 =	\$ 420.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			\$290.00 =	\$ 290.00
				BASIC FEE (37 CFR 1.16(e))	\$ 770.00
	Total of above Calculations =				\$1,624.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
	TOTAL =				\$1,624.00

19. Small entity status

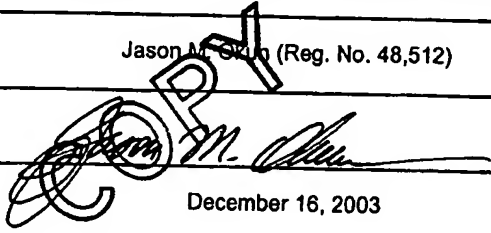
- a. ☐ A small entity statement is enclosed
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

20. ☒ A check in the amount of \$ 1,624.00 to cover the filing fee is enclosed.

21. ☒ A check in the amount of \$ 40.00 to cover the recordal fee is enclosed.

22. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06-1205:

- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
NAME	Jason M. Sklar (Reg. No. 48,512)
SIGNATURE	
DATE	December 16, 2003



UNITED STATES
PATENT AND
TRADEMARK OFFICE



STATUS AND BRANCH

2004 MAY 25 PM 4: 27

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

FITZPATRICK CELLA HARPER & SCINTO

FINA

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NEW YORK NY 10112-3801

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Washington, DC 20231
www.uspto.gov

Account No.	061205
Date	3-31-04
Page	4

PLEASE SEND REMITTANCES TO:
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Chicago, IL 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
3	29	04	52		02280.002820	8014	25.00	56187.00
3	29	04	69	10809460	00862.023521	9204	-54.00	56241.00
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3	29	04	456	PCT/US04/09020	01997.001800.	1703	260.00	55693.00
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3	30	04	1	10736545	03500.017338	1201	86.00	55567.00
3	30	04	70	10736686	02964.002593	9204	-68.00	55635.00
3	30	04	126	10452226	03500.013805.1	1201	172.00	55463.00
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3	30	04	157	10732484	01807.002480	9204	-432.00	55625.00
3	30	04	203	10219242	03500.016628	1806	180.00	55445.00
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3	31	04	6	76393974	02431.000000	6001	335.00	54493.00
3	31	04	7	1145584	NOT IN SYSTEM	8009	240.00	54253.00
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3	31	04	98	10810827	00862.018055.	9204	-90.00	54341.00
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
					41465.00	14381.00	27257.00	54341.00